TOWN OF LOS GATOS CALIFORNIA TOWN COUNCIL/PARKING AUTHORITY JOINT REDEVELOPMENT AGENCY AUGUST 16, 2004 / MINUTES

Los Gatos Civic Center 110 E. Main Street Los Gatos, CA 95030

TIME	ITEM	ACTION ON ITEM
7:00 PM	TOWN COUNCIL	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town Hall, 110 East Main Street, at 7:00 p.m., Monday, August 16, 2004, in a joint regular session.
7:01 PM	ROLL CALL	Present: Sandy Decker, Diane McNutt, Joe Pirzynski, Mike Wasserman and Mayor/Chairman Glickman. Absent: None
7:02 PM	PLEDGE OF ALLEGIANCE	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	CLOSED SESSION	Town Attorney, Orry Korb, reported that Council had met in Closed Session prior to this evening's meeting pursuant to Government Code Section 54957.6 regarding Conference with Labor Negotiator concerning Labor Negotiations between Town Negotiator and Confidential Employees. Council gave direction. There was no final action taken. Pursuant to Government Code Section 54957 regarding Public Employee Performance Evaluation, Town Attorney. Council gave direction. There was no final action taken.
7:04 PM	PRESENTATION	PRESENTATION
	COMMENDATION SHAKESPEARE FESTIVAL	Mayor Glickman presented a Commendation from the Town to Mark Pickens for the efforts of the Festival Theatre Ensemble in producing the Los Gatos Shakespeare Festival. Mr. Pickens was present to receive the commendation and thanked the Town for the opportunity to have held this summer production.

TIME	ITEM	ACTION ON ITEM
7:07	CONSENT ITEMS	CONSENT ITEMS
	ITEM 1 PAYROLL RATIFICATION FOR JULY 2004	Motion by Mrs. Decker , seconded by Mr. Wasserman, that Council ratify the check register for payroll of July 18, 2004 through July 31, 2004 paid on August 6, 2004 in the amount of \$530,875.15. Carried unanimously. (01.V)
	ITEM 2 ACCOUNTS PAYABLE FOR JULY - AUGUST 2004	Motion by Mrs. Decker , seconded by Mr. Wasserman, that Council ratify the check register for accounts payable invoices paid on July 30, 2004 and August 6, 2004 in the amount of \$1,124,964.03. Carried unanimously. (02.V)
	ITEM 3A AMICUS BRIEF STATE BOARD OF EQUALIZATION	Motion by Mrs. Decker , seconded by Mr. Wasserman, that Council authorize joining the amicus brief of the City of Brisbane, et al, in support of the petition of the City of Santa Monica before the State Board of Equalization, Case #255567, at no cost to the Town. Carried unanimously. (03A. 28)
	ITEM 3B AMICUS BRIEF EMERGENCY RADIO AUTHORITY	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council authorize request for amicus participation in support of petition for review in Zack, et al vs Marin Emergency Radio Authority before the California Supreme Court, Case #S125094, at no cost to the Town. Carried unanimously. (03B.28)
	ITEM 4A CIVIL GRAND JURY REPORT EVIDENCE ROOMS	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council approve response to Santa Clara County Civil Grand Jury report - inquiry into Police evidence rooms in Santa Clara County. Carried unanimously. (04A.28)
	ITEM 4B CIVIL GRAND JURY REPORT FINANCIAL AUDIT	Motion by Mrs. Decker , seconded by Mr. Wasserman, that Council accept and file report that this item was removed from agenda due to word processing failure and will return to Council September 7, 2004. Carried unanimously. (04B.28)
	ITEM 5 BELOW MARKET PRICE HOUSING DEED RESTRICTIONS Resolution 2004-102	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-102 entitled, RESOLUTION OF TOWN OF LOS GATOS ADOPTING A BELOW MARKET PRICE HOUSING PROGRAM DEED RESTRICTION AGREEMENT FOR OWNER-OCCUPIED UNITS AND RESCINDING RESOLUTION 1988-80. Carried unanimously. (05.37) Councilmember Decker praised staff for the work that was done on the program and for the excellent report.

TIME	ITEM	ACTION ON ITEM
7:07	CONSENT ITEMS	CONSENT ITEMS CONTINUED
	ITEM 6 STREET RESURFACING PROJECT FEDERAL FUNDING Resolution 2004-103	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-103 entitled, RESOLUTION OF TOWN OF LOS GATOS AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION FUNDING FOR THE NORTH LOS GATOS STREET RESURFACING PROJECT AND COMMITTING THE NECESSARY NON-FEDERAL MATCH FOR THE PROJECTS AND STATING THE ASSURANCE OF THE TOWN OF LOS GATOS TO COMPLETE THE PROJECT. Carried unanimously. (06.24)
	ITEM 7 FEHR & PEER ENGINEERING SERVICES VASONA LOOP TRAIL Resolution 2004-104	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-104 entitled, RESOLUTION OF TOWN OF LOS GATOS AUTHORIZING THE TOWN MANAGER TO EXECUTE A PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH FEHR AND PEERS ASSOCIATES, INC. TO PERFORM TRAFFIC ENGINEERING CONSULTANT SERVICES IN THE TOWN OF LOS GATOS ON AN ON-CALL BASIS. Carried unanimously. (07.37)
	ITEM 8 PROJECT 0440 LOMA ALTA CURB GUTTER SIDEWALK Resolution 2004-105	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-105 entitled, RESOLUTION OF TOWN OF LOS GATOS ACCEPTING WORK OF C.B. CONSTRUCTION COMPANY FOR PROJECT 0440 - LOMA ALTA CURB, GUTTER, AND SIDEWALK CONSTRUCTION AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY TOWN CLERK. Carried unanimously. (05.24)
	ITEM 9 Resolution 2004-106 CENTER TO CENTER PROGRAM AGREEMENT WITH LOCAL AGENCIES	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-106 entitled, RESOLUTION OF TOWN OF LOS GATOS AUTHORIZING THE TOWN MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE SAN FRANCISCO BAY AREA INTERIM CENTER-TO-CENTER PROGRAM, INCLUDING ATTACHMENT 2, POLICY FOR THE EXCHANGE OF REAL-TIME TRAFFIC DATA AND REAL-TIME VIDEO WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), LOCAL CITIES, COUNTIES TRANSPORTATION COMMISSIONS REFERRED TO HEREIN AS "PARTIES". Carried unanimously. (05.37)

TIME	ITEM	ACTION ON ITEM
7:07	CONSENT ITEMS	CONSENT ITEMS CONTINUED
	ITEM 10 LILAC LANE 16370 RESIDENTIAL SECOND STORY APPEAL Resolution 2004-107	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-107 entitled, RESOLUTION OF TOWN OF LOS GATOS GRANTING AN APPEAL OF A PLANNING COMMISSION DECISION DENYING A REQUEST TO CONSTRUCT A SECOND STORY ADDITION ON PROPERTY ZONED R-1:8. APN: 523-13-027. MR-04-25. PROPETY LOCATION 16370 LILAC LANE. OWNERS, APPLICANTS, APELLANTS: WESLEY AND DEBBIE LEONG. Carried unanimously. (10.15)
	ITEM 11 (11.15) SAN BENITO 642 SECOND STORY APPEAL Resolution 2004-108	Motion by Mrs. Decker, seconded by Mr. Wasserman, that Council adopt Resolution 2004-108 entitled, RESOLUTION OF THE TOWN OF LOS GATOS DENYING AN APPEAL OF A PLANNING COMMISSION DECISION APPROVING CONSTRUCTION OF A SECOND STORY ADDITION TO A PRE-1941 RESIDENCE ON PROPERTY ZONED R-1D. ARCHITECTURE AND SITE APPLICATION S-04-21. PROPETY LOCATION: 642 SAN BENITO AVENUE. OWNER/APPLICANT: THOMAS SCHAUB. APPELLANT: JULIE LIVINGSTON. Carried unanimously.
	REDEVELOPMENT	REDEVELOPMENT AGENCY
	ITEM 12 ACCOUNTS PAYABLE FOR JULY-AUGUST 2004	Motion by Mrs. Decker , seconded by Mr. Wasserman, that the Agencyl ratify the check register for accounts payable invoices paid on July 30, 2004 and August 6, 2004 in the amount of \$467,599.53. Carried unanimously. (12.V)
7:07	COUNCIL/AGENCY	TOWN COUNCIL/REDEVELOPMENT AGENCY
	ITEM 13 MINUTES AUGUST 2, 2004	Motion by Mrs. Decker , seconded by Mr. Wasserman, that the Town Council/Redevelopment Agency approve the Minutes of the Joint Regular Meeting of August 2, 2004 as submitted. Carried unanimously. (13.V)
7:08 PM	COMMUNICATIONS	VERBAL COMMUNICATIONS
	SPEAKER	Ray Davis spoke of the presentations made by Mayor Glickman at the July 4 th celebrations to the local service people serving their country at this time. Mr. Davis believes the presentations should have been handled in a different manner.

TIME	ITEM	ACTION ON ITEM
7:12	PUBLIC HEARING	PUBLIC HEARING
7:12 PM	ITEM 14 CLEARVIEW DRIVE LA RINCONADA COUNTRY CLUB COMMERCIAL APPEAL EXPANSION PLANS	LA RINCONADA COUNTRY CLUB/CLEARVIEW DRIVE COMMERCIAL APPEAL/EXPANSION PLANS (14.15) Mayor Glickman stated that this was the time and place duly noted for public hearing to consider an appeal of a Planning Commission decision approving a request to expand membership, provide outside seating for the restaurant and snack shop and to demolish an existing pro-shop, to add onto and construct new outbuildings, expand and upgrade landscaping and parking facilities and to remodel and add onto an existing club house (La Rinconada Country Club) on properties zoned R-1:20 and RC and prezoned R-1:12. Architecture and Site Application S-04-026. Conditional Use Permit U-04-009. Property Location: 14595 Clearview Drive. Property Owner: La Rinconada Property. Applicant: Kenneth Rodrigues & Partners, Inc. Appellant: Chris DeLaOssa.
7:18 PM	ITEM 14 STAFF REPORTS	Bud Lortz, Community Development Director, gave an overview of the Country Club's request for improvements and modernization, and also their plans for roadway widening and upgrades. He spoke of appropriate traffic control for the service vehicles, membership and visitors. He also spoke of the neighbors' concerns about flooding on Wedgewood and how the project includes measures to address that specific concern.
	ITEM 14 14595 CLEARVIEW DRIVE SPEAKERS	SPEAKERS FOR 14595 CLEARVIEW DRIVE (LA RINCONADA COUNTRY CLUB) Chris DeLaOssa, Appellant, spoke on the issues of the conditional use permits and the traffic patterns. He also referred to the General Plan and the Strategic Plan and noted the neighborhood collector streets and the impacts of increased traffic in the neighborhoods. Jim Rubitz, representing the Country Club, spoke of deliveries to the club through the service entrance on Wedgewood. He noted that there were only about 25 service vehicles a day for normal deliveries. Tom Weeks spoke on the conditional use permit and truck traffic. He also spoke on the members entrance and on the blind curves on Wedgewood Drive. He asked that all traffic be eliminated from use of the Wedgewood Gate. Ray Davis asked for a new traffic study and new CUP. He believes the proposals should go back through the Planning Commission.

TIME	ITEM	ACTION ON ITEM
	PUBLIC HEARING	PUBLIC HEARING CONTINUED
7:19 PM	ITEM 14	SPEAKERS FOR 14595 CLEARVIEW DRIVE (LA RINCONADA COUNTRY CLUB)
	14595 CLEARVIEW DRIVE	Mark Medalie spoke of the use of the Country Club access road on Wedgewood. He believes the service road is too narrow for the trucks
	SPEAKERS	wedgewood. He believes the service road is too narrow for the trucks that will be using it, although staff explained that the delivery trucks that are allowed to use it are the appropriate size and weight for the road. He does not want the trucks exiting on Wedgewood because of the visibility issues and speed of the traffic on that road. He also spoke of joggers, pedestrians and bikers trying to use Wedgewood. Staff suggested that the 25 vehicles exiting the club each day were not the cause of excess speed and increased traffic on Wedgewood, and they suggested that the neighborhood work with traffic engineering on traffic calming measures for the whole of the Wedgewood neighborhood. Jan Maddox spoke of speed on Wedgewood and the many thousands of cars that use the road daily. She noted the high speeds and lack of obeying the posted signs. She asked for more police presence to help slow down the traffic. Bob Korns asked for assurances that the gateway on Wedgewood would be controled for a limited number of daily uses. Barbara Kettman spoke of traffic and construction and the hours that the trucks would be allowed to use the gate. She suggested hours that were associated with less traffic on Wedgewood. Barbara Lea believes that the access road off Wedgewood is too narrow for truck traffic and asked if the two other access roads could be used. Cheryl Hirsa spoke of the traffic on Wedgewood and the traffic study done July 2004. She noted 3,282 cars per day on this street and only 31 deliveries up the club access road. Carla Dougher asked that the Wedgewood neighborhood be considered for traffic calming measures, sidewalks and wheelchair accessability. John Aitkens would like to see the traffic issues and impacts shared by the people who live around the Country Club. He would like street lights, street trees to catch the impact of stray balls and sidewalks to meander through the creatively placed trees. Darcy Matthewson spoke of the noise from the trucks and asked that they be limited to certain hours of the

TIME	ITEM	ACTION ON ITEM
	PUBLIC HEARING	PUBLIC HEARING CONTINUED
8:13 PM	ITEM 14 14595 CLEARVIEW DRIVE SPEAKERS	SPEAKERS FOR 14595 CLEARVIEW DRIVE (LA RINCONADA COUNTRY CLUB) CONTINUED Jan McClintock spoke of the speeders on Wedgewood. She asked if La Rinconada would still make the planned improvements on Wedgewood. John McRostie spoke on the traffic on Clearview and La Rinconada as well as on Wedgewood. Isabel Guira spoke of the impacts from the large trucks, the safety issues of the sharp curves on Wedgewood and the need for a new traffic study. Mateo Goa spoke of the very steep access off Winchester on to La Rinconada Drive and the difficulty for trucks to enter that way. Clearview also has a very tight turn for entrance. He believes the safest access is through Wedgewood. Chris DeLaOssa spoke of having full access to trails, parks, shopping and of beautifying the Wedgewood neighborhood.
		Ken Rodrigues summarized the plans for the Wedgewood access road. The sidewalks, trees and street lights will make the Wedgewood neighborhood safer. He spoke of traffic signage, and of staging the construction trucks to wait in the driveway rather than out on Wedgewood.
9:20	HEARING CLOSED	Mayor Glickman closed the public hearing.
	ITEM 14 MOTION AND FINDINGS LA RINCONADA COUNTRY CLUB	Motion by Mr. Wasserman, seconded by Mr. Pirzynski, that Council uphold the Planning Commission's decision and approve Architecture and Site Application S-04-026 and Conditional Use Permit U-04-009 subject to conditions listed in Attachments 2 and 3 of this report and this motion includes the following findings made by Mr. Pirzynski: As found in Attachment 1: (a) As required by Section 29.20.190 of the Town Code for granting a Conditional Use Permit listed in 1through 4 of the staff report; (b) As required by Section 15303 of the State Environmental Guidelines as adopted by the Town that this project is Categorically Exempt; and (c) As required by Section 29.20.150 of the Town Code for Architecture and Site applications, one through nine. Carried unanimously. (14.15)

TIME	ITEM	ACTION ON ITEM
	PUBLIC HEARING	PUBLIC HEARING CONTINUED
9:25 PM	ITEM 14 COUNCIL COMMENTS AND CONSIDERATIONS 14595 CLEARVIEW DRIVE	COUNCIL COMMENTS/14595 CLEARVIEW DRIVE (LA RINCONADA COUNTRY CLUB) CONTINUED Council Comments: * 3,000 cars a day travel along Wedgewood Ave; 1% of that traffic is going in at the Club; 80% of that amount enters the Club at Clearview * Construction noise will be going on for a limited amount of time * Staff review of traffic counts on Wedgewood after six months to compare service entrance traffic volumes. * Project builds 1500 feet of sidewalks on Wedgewood * Drainage improvements will be addressed on Wedgewood
9:50 PM	MAYOR CALLS FOR THE QUESTION	Council carried the motion unanimously
9:50 PM	MAYOR CALLS RECESS	Mayor Glickman called a ten minute recess.
	OTHER BUSINESS	OTHER BUSINESS
10:00 PM	ITEM 15 SKATEBOARD PARK	SKATEBOARD PARK AT MILES AVENUE Mayor Glickman stated that this was the time and place duly noted for Council's consideration of design alternatives for a skateboard park to be located at the Town-owned parking lot on Miles Ave. (15.33)
10:18 PM	STAFF REPORT AND CONSULTANT REPORTS	SKATEBOARD PARK AT MILES AVENUE Staff Report: Pamela Jacobs presented a staff report on the suitability of the Miles avenue location and the process undertaken to engage stakeholders in the design. Bruce Playle spoke on the progress of the plans for developing a skateboard park in Town and the estimated costs for the skatepark.
	ITEM 15 SPEAKERS FOR SKATEBOARD PARK	SKATEBOARD PARK AT MILES AVENUE Speakers: Chris Miller spoke regarding parking, safety issues and community funding. Kevin Peth skateboarder spoke enthusiastically for a concrete facility. Joanne Peth spoke on sponsorship and forming a committee for fund raising.

TIME	ITEM	ACTION ON ITEM
	OTHER BUSINESS	OTHER BUSINESS CONTINUED
11:04 PM	ITEM 15 SPEAKERS FOR SKATEBOARD PARK CONT.	SKATEBOARD PARK AT MILES AVENUE CONT. Speakers Continued: Serena Eichelburger discussed fencing, skateparks in the area, on-site parking, above ground concrete parks and getting the community involved.
11:15 PM	ITEM 15 COUNCIL COMMENTS SKATEBOARD PARK	SKATEBOARD PARK AT MILES AVENUE Council Comments: * Focus on community involvement * Mobilize fundraising activities * Create working groups from those who have encouraged and spoken out for this proposal * Council asked the community to step forward and volunteer * Mention was made that the Town has contributed land, and resources to seed this project and now requires the community to move it forward. * Council consensus was for a concrete park, a fence and on site parking.
	OTHER BUSINESS	OTHER BUSINESS CONTINUED
11:26	ITEM 16	BOARDS, COMMITTEES AND COMMISSIONS
	ITEM 16A ORDINANCE TERMS OF OFFICE	RECOMMENDATION: That Council introduce an ordinance amending Town Code Chapter 2, Article III, Section 2.30.930(b); and Chapter 20, Article II, Section 20.20.015; regarding the terms of office of appointees to the Personnel Board and Planning Commission, in order to standardize said terms as seen in attachment 1. (Neither the ordinance nor the title were read into the record.) (16A.12)
	ITEM 16B HISTORIC PRESERVATION Resolution 2004-109	Motion by Mr. Glickman, seconded by Mrs. Decker, that Council adopt Resolution 2004-109 entitled, RESOLUTION OF TOWN OF LOS GATOS TO AMEND THE TERMS OF OFFICE AND DUTIES OF THE HISTORIC PRESERVATION COMMITTEE AND RECINDING RESOLUTION 1994-16. Carried unanimously. (16B.12)

TIME	ITEM	ACTION ON ITEM
	ITEM 16C PARKING AUTHORITY Resolution 2004-110	Motion by Mr. Glickman, seconded by Mrs. Decker, that Council adopt Resolution 2004-110 entitled, RESOLUTION OF TOWN OF LOS GATOS DETERMINING THE NEED FOR A PARKING AUTHORITY; DECLARING THE TOWN COUNCIL TO BE THE PARKING AUTHORITY; ESTABLISHING THE TRANSPORTATION AND PARKING COMMISSION; AND RESCINDING RESOLUTION 2002-135. Carried unanimously. (16C.12)
	ITEM 17 GRAND JURY REPORT - VTA	SANTA CLARA COUNTY CIVIL GRAND JURY REPORT VALLEY TRANSPORTATION AUTHORITY Motion by Mrs. Decker, seconded by Mr. Wasserman, to continue this item to September 7, 2004 due to the late hour of this evening's meeting. Carried unanimously. (17.28)
11:30 PM	ITEM 18 COUNCIL MATTERS	COUNCIL MATTERS: (18.28) There was no report this evening.
11:31 PM	ITEM 19 MANAGER MATTERS	MANAGER'S MATTERS: (19.28) There was no report this evening.
11:32 PM	ADJOURNMENT	Mayor Glickman adjourned this evening's meeting at 11:32 PM

ATTEST:

Marian V. Cosgrove Town Clerk Secretary to the Redevelopment Agency